

**ANALYSIS AND FINDINGS FOR LAND DIVISION:
PRELIMINARY SUBDIVISION APPROVAL**

LD2004-0046 (Covington Park PUD)

Section 40.45.15.3.C of the Development Code states that in order to approve a Preliminary Subdivision, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all of following criteria are satisfied:

Provided below are the staff responses to the Preliminary Subdivision approval criteria as cited above.

1. The proposal satisfies the threshold requirements for a Preliminary Subdivision application.

Facts and Findings:

The application is for a proposal to create 46 parcels; common opens space tracts, and private streets. The preliminary subdivision threshold states that: *the creation of four or lots from a lot of record in one calendar year*, requires a Preliminary Subdivision application. Staff find that the proposal exceeds the threshold for a preliminary subdivision, therefore meeting the application criterion for approval.

Staff therefore, find the proposal meets the threshold and the criterion is met.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Facts and Findings:

On October 21, 2004, the City of Beaverton received the appropriate fee of \$2,108.00 for a Type 2 Land Division for a Preliminary Subdivision (LD) application. The proposed LD application is in conjunction with a Conditional Use Final Planned Unit Development (PUD) and Tree Plan (TP) applications. The PUD application requires a public hearing with the Planning Commission, pursuant to Section 50.15.2 of the Development Code the Land Division will therefore also be a public hearing before the Planning Commission.

Therefore, staff find that the criterion is met.

- 3. Oversized lots shall have a size and shape which will facilitate the future partitioning or subdividing of such lots in accordance with the requirements of this Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots as well as the future development on oversized lots.***

Facts and Findings:

The development proposal does not appear to set aside parcels for future partitioning or subdividing. The proposal is for 46 single-family detached lots on R2 zoned properties. The largest parcel is approximately 3,025 square feet which would not likely be able to divide into two (2) lots at a future time. As described in the Facilities Review and Conditional Use findings, the development meets the minimum density requirement of 46 lots. Three (3) parcels will be created in separate tracts as apart of the required common open space. Staff find that the proposal is submitted for approval as a preliminary subdivision and does not include any oversized buildable lots. In adopting conditions of approval established by the Land Division Facilities Review report, LD2004-0046 the Committee found the proposed streets, driveways, and utilities will be sufficient to serve all lots on the site. Staff find that the criterion has been satisfied.

Therefore, staff find that the criterion is met.

- 4. If phasing is requested by the applicant, the requested phasing plan can be carried out in a manner which satisfies the approval criteria and provides necessary public improvements for each phase as the project develops.***

Facts and Findings:

The applicant's narrative states that phasing is not proposed for the subdivision request. Lot 46 will have an access easement over it and will not be built on until after permanent access is constructed in conjunction with the future 155th Avenue roadway improvements. This future construction on lot 46 is not a second phase as the lot will be platted with the final plat. Future build out will occur after the permanent access is established and the temporary access is eliminated. Staff find that because the applicant does not propose phasing and the site plans do not provide any evidence of phasing, staff find the criterion for approval is not applicable.

Therefore, staff find that the criterion is not applicable.

- 5. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

Facts and Findings:

The applicant has three (3) concurrent applications submitted for review, including this Preliminary Subdivision – Land Division, Conditional Use – Final Planned Unit Development, and Tree Plan applications. The Land Division application is being reviewed concurrently with the PUD application as the Commission will review all three applications at one public hearing. Staff find that the applications and documents related to the request have been submitted in proper sequence. If the Preliminary Subdivision is ultimately approved, the applicant will need to submit a Final Plat application to be reviewed and be approved prior to recordation with Washington County.

Therefore, staff find that the criterion is met.

SUMMARY OF FINDINGS: For the reasons identified above, staff find that the applicant's Preliminary Subdivision satisfies the approval criteria for Preliminary Subdivision approval pursuant to Section 40.45.15.3.C.1 through 5 of the Development Code and is also subject to Facilities Review Section 40.03.1 through 11 and its conditions of approval.

At the discretion of the Planning Commission, recommended conditions of approval in the Facilities Review Technical Review and Recommendation Report may be adopted, modified, deleted, or added to the recommended conditions of approval. Additional findings may be required if the conditions of approval are modified, deleted, or added to the original conditions.

PRELIMINARY SUBDIVISION CONCLUSION

Based on the facts and findings presented, staff conclude the proposal, **LD2004-0046 (Covington Park PUD)** meets the criteria for approval.

RECOMMENDATION

Based on the facts and findings presented, staff can recommend approval of **LD2004-0046 (Covington Park PUD)**, subject to the conditions of approval found in Attachment E of this report.